

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY, NOVEMBER 12, 2003 HELD  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
MARIE MALBURG, TREASURER  
TRUSTEES: DINO F. BUCCI, JR.  
JANET DUNN  
CHARLES OLIVER

ABSENT: KENNETH MEERSCHAERT, JR.

Also in attendance: Larry Dloski, Township Attorney  
Jerome R. Schmeiser, Community Planning Consultant  
James Van Tiflin, Project Manager for Spalding DeDecker &  
Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call

Clerk KOEHS announced the Roll Call. Trustee MEERSCHAERT, JR.  
absent.

**MOTION by BUCCI seconded by OLIVER to refrain from calling Kenneth Meerschaert, Jr., name for all future motions and or Roll Calls for the meeting of November 12, 2003 only.**

**MOTION carried.**

2. Approval of Agenda Items (*with any corrections*)

**MOTION by DUNN seconded by OLIVER to approve the agenda as amended.**

**MOTION carried.**

3. Approval of Bills

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**MOTION by OLIVER seconded by DUNN to approve payment of the Bills.**

**MOTION carried.**

4. Approval of the October 22, 2003 previous Meeting Minutes

**MOTION by DUNN seconded by MALBURG to approve the October 22, 2003 Meeting Minutes as presented.**

**MOTION carried.**

*Addition:*

*4a. Presentation by County Commissioners*

Nicholyn A. Brandenburg, 26<sup>th</sup> District County Commissioner along with Keith Rengert, 15<sup>th</sup> District County Commissioner congratulated The Township and Township Fire Department on their 50<sup>th</sup> anniversary for Fire Services.

Nicholyn A. Brandenburg, 26<sup>th</sup> District County Commissioner commended the Township and Township Fire Department for the life saving swimming pool incident involving her grandson.

Keith Rengert, 15<sup>th</sup> District County Commissioner reviewed Resolution Number 111 on behalf of the County Board of Commissioners in congratulations of 50 years of Fire Services from the Township of Macomb. Mr. Rengert stated that Resolution Number 111 shows appreciation not only for the current but also for the past Township Fire Department Chiefs, along with the spouses that have supported the Township Fire Department and the current and previous Boards.

Raymond Ahonen, Macomb Township Fire Department Chief, stated that the Township Fire Department is successful because they are supported. Mr. Ahonen commended the County Commissioners for their kind words and stated that the Fire Department could not have done it without all the past and current Township employees.

Supervisor BRENNAN thanked everyone and stated Macomb Township is very fortunate to have Nicholyn A. Brandenburg and Keith Rengert, two of the hardest working county commissioners representing the Township.

5. Public Comments (Non Agenda items only - 3 minute time limit)

John Thompson of Atwell Hicks representing Pulte Homes inquired as to the reason Strathmore Condominiums was not added to the agenda. Clerk KOEHS stated the request for Strathmore will not be added to this agenda and also mentioned that the petitioners office was notified of this information prior to the meeting.

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6. Offer to Purchase Real Property. Purchaser: Suburban Sports Group.

Supervisor BRENNAN reviewed the Suburban Sports Group, the potential purchaser of Township property adjacent to the Township Park on the north side of 25 Mile Road. Mr. BRENNAN discussed Suburban Sports Groups plans for two sheets of ice for a potential Indoor Ice Irena.

Mr. BRENNAN reviewed previous meeting discussions pertaining to directing the Township Attorney to contact an appraiser to establish values for the land of interest. Mr. BRENNAN further discussed the appraisal amount of approximately sixty thousand dollars and 00/100 (\$60,000.00) per acre for the land of interest.

Petitioner Present: Robert Kirk along with Tom Anastas. Mr. Anastas discussed his interest in eight acres of land and also stated that the interest is not to purchase more land than what is needed to develop the Ice Irena.

Trustee BUCCI held further discussion with Mr. Anastas reviewing the ONYX Ice Irena located in Rochester Michigan.

**MOTION by BUCCI jointly seconded by DUNN and KOEHS to show the desire to sell five to six acres of land as described for at least two sheets of ice for a potential Ice Irena and review the request for three additional acres and report back to the Board at a later date. To review the recommendations for the request of three additional acres of land as described to add to the five to six acre parcel located on the north side of 25 Mile Road, adjacent to the Township Park property for further actions.**

**MOTION carried.**

**PUBLIC HEARING:**

7. Request to Adopt Resolution No. 2; Wingate Farms Subdivision; Detention Basin. Section 22.

Supervisor BRENNAN opened the Public Hearing at 7:23 p.m.

Supervisor BRENNAN stated the Subdivision is currently owned by the developer.

**MOTION by DUNN seconded by MALBURG to close the Public Hearing at 7:24 p.m.**

**MOTION carried.**

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**MOTION by KOEHS seconded by OLIVER to adopt Resolution No. 2 for the Wingate Farms Subdivision Detention Basin request as follows:**

**FOR THIS MOTION: KOEHS, OLIVER, BUCCI, MALBURG, DUNN, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: MEERSCHAERT, JR.**

## **RESOLUTION NO. 2**

**Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on November 12, 2003, at 7:00 o'clock p.m., Eastern Standard Time.**

**PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn., Charles Oliver.**

**ABSENT: Kenneth Meerschaert, Jr.**

**The following preamble and resolution were offered by Member KOEHS and supported by Member OLIVER.**

**WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated October 22, 2003, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a detention basin and pump station described in Exhibit "A" attached hereto (the "Basin"); and**

**WHEREAS, pursuant to Section 192a(2) and 192a(5) of the State Land Division Act, as amended, (the "Act"), proper notice having been given, a hearing was held on November 12, 2003, on creation and maintaining the detention basin and pump station, including but not limited to the operation and maintenance, the pumps and appurtenances, cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the detention basin by special assessment was approved; and**

**WHEREAS, the Special Assessment District consists of proposed Lots 1 through 53 inclusive, Wingate Subdivision (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "B" attached thereto, and**

**WHEREAS, Lots 1 through 53, inclusive, within the Plat are benefited by the detention basin and pump station; and**

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**WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at a public hearing, determine the annual cost of the operation and maintenance of the detention basin, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

**1. That the Special Assessment District created by resolution on October 22, 2003, and approved at a public hearing on November 12, 2003, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "B" attached to this Resolution and made a part hereof.**

**2. That the authority to defray the cost of operating and maintaining the detention basin and pump station by special assessment on the property benefited thereby as adopted by the Township by resolution on October 22, 2003, and approved at a public hearing on November 12, 2003, is confirmed.**

**3. That in the event the Township has or intends to expend funds for the maintenance and operation of said detention basin and pump station, the Township shall prepare a special assessment roll, determine that annual cost of the operation and maintenance of the detention basin and pump station, establish an annual special assessment levy, and prepare a plan to spread the assessment levy on each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the detention basin and pump station multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District together with all lots contained within Wingate Farms Subdivision, Buckingham Village No. 1, and Buckingham Village No. 2, covered by this Special Assessment District.**

**4. That after the determination of the annual cost of the operation and maintenance of the detention basin and pump station, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.**

**5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.**

**AYES: KOEHS, OLIVER, BUCCI, MALBURG, DUNN, BRENNAN**

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**NAYS:        NONE**

**RESOLUTION DECLARED ADOPTED.**

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**Michael D. Koehs**  
**Macomb Township Clerk**

**MOTION carried.**

**PLANNING COMMISSION:**

8. Rezoning Request; Residential One Family Suburban (R-1-S) to Residential One Family Urban (R-1); Located approximately ½ mile south of 23 Mile Road on the west side of Fairchild Road; Landtec of Macomb, Petitioner. Permanent Parcel No. 08-24-276-003.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended denial.

Supervisor BRENNAN stated the proposal does not meet the Township Ordinances and therefore cannot be approved by this Board. Mr. BRENNAN stated the petitioner will have to proceed with a Consent Judgment for any future approval.

Public Portion: None.

Petitioner Present: Richard Rizzo of Landtec of Macomb.

**MOTION by KOEHS seconded by MALBURG to follow the Planning Commissions recommendations and deny the rezoning request from Residential One Family Suburban (R-1-S) to Residential One Family Urban (R-1). Parcel No. 08-24-276-003.**

**MOTION carried.**

9. Tentative Preliminary Plat; Rockwood Subdivision No. 2; (6 lots); Located west of Rockwood Drive and approximately 764 feet north of 21 Mile Road. R & C Development, Petitioner. Permanent Parcel No. 08-28-376-007.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Public Portion: None.

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Petitioner Present: Nancy Kokinski.

**MOTION by BUCCI seconded by MALBURG to approve the Tentative Preliminary Plat for Rockwood Subdivision No. 2 (6 Lots) as recommended by the Planning Commission. Parcel No. 08-28-376-007.**

**MOTION carried.**

10. Tentative Preliminary Plat; River Pointe Subdivision; (30 lots); Located on the north side of 25 Mile Road and approximately  $\frac{1}{4}$  mile east of Hayes Road; Andrew Eskelinen, Petitioner. Permanent Parcel No. 08-06-300-030.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Public Portion: None.

Petitioner Present: Not present.

**MOTION by DUNN seconded by KOEHS to approve the Tentative Preliminary Plat for River Pointe Subdivision as recommended by the Planning Commission. Parcel No. 08-06-300-030.**

**MOTION carried.**

11. Tentative Preliminary Plat; Milano Industrial Subdivision No. 3; (8 lots); Located  $\frac{1}{4}$  mile north of the 23 Mile Road and approximately  $\frac{1}{2}$  mile east of Hayes Road; Leone Construction Company, Petitioner. Permanent Parcel No. 08-18-400-011.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Public Portion: None.

Petitioner Present: Nancy Kolinski.

**MOTION by OLIVER seconded by BUCCI to approve the Tentative Preliminary Plat; Milano Industrial Subdivision No. 3 (8 Lots). Parcel No. 08-18-400-011.**

**MOTION carried.**

12. Technical Change to Tentative Preliminary Plat; Harmony Acres; (135 lots); Located on the south side of 24 Mile Road  $\frac{3}{4}$  mile east of Romeo Plank Road; Joseph VanHaverbeck, Petitioner. Permanent Parcel No. 08-16-200-014.

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Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Public Portion: None.

Petitioner: Not present.

**MOTION by DUNN seconded by MALBURG to approve the Technical Change to the Tentative Preliminary Plat; Harmony Acres (135 Lots). Parcel No. 08-16-200-014.**

**MOTION carried.**

13. Technical Change to Final Preliminary Plat; Hidden Meadows Subdivision; (46 Lots); Located on the north side of 21 Mile Road and approximately 250 feet east of Card Road; Fernando Casasanta, Petitioner. Permanent Parcel No. 08-26-351-013.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Public Portion: None.

Petitioner: Not present.

**MOTION by OLIVER seconded by DUNN to approve the Technical Change to the Final Preliminary Plat for Hidden Meadows Subdivision. Parcel No. 08-26-351-013.**

**MOTION carried.**

**NEW BUSINESS:**

14. Request to Adopt Resolution No. 1 and Schedule the Public Hearing Date for December 23, 2003; Fallbrooke Farms Subdivision; Detention Basin. Elro Corporation, Petitioner. Section 4.

Supervisor BRENNAN reviewed the request.

Public Portion: None.

Petitioner Present: Daniel S. Spatafora of Elro Corporation.



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**MOTION by DUNN seconded by BUCCI to adopt Resolution No. 1 and schedule the Public Hearing Date for December 23, 2003 for the Fallbrooke Farms Subdivision Detention Basin. Section 4.**

**FOR THIS MOTION: DUNN, BUCCI, OLIVER, MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE**

**ABSENT: MEERSCHAERT, JR.**

**MOTION carried.**

15. Request to Schedule the Public Hearing Date for December 10, 2003; English Gardens Subdivision No. 2; Street Lighting Request. Northern Macomb Development, Petitioner. Section 5.

Supervisor BRENNAN reviewed the request.

Public Portion: None.

Petitioner: Not present.

**MOTION by DUNN seconded by MALBURG to approve to schedule the Public Hearing Date for December 10, 2003 for English Gardens Subdivision No. 2 for the Street Lighting Request. Section 5.**

**MOTION carried.**

16. Request for an Abeyance; St. Isidore Catholic Church; on the construction of the berm and green belt. Michael Hrydziusko, Petitioner. Section 17.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

**MOTION by DUNN seconded by KOEHS to approve the abeyance as described for the northern property boundary for St. Isidore Catholic Church; for the construction of the berm and green belt to expire on June 1, 2004. Section 17.**

**MOTION carried.**

17. Review of the Macomb County Board of Commissioners Manufactured Housing Resolution.

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**MOTION by KOEHS seconded by MALBURG to receive and file the County Board of Commissioners Manufactured Housing Resolution.**

**MOTION carried.**

18. Request for a Liquor License Transfer; HGGs YUNG ENTERPRISES.

*Township Board requested to table the item indefinitely.*

19. Request to approve the Township of Macomb 2004 Meeting Schedule.

**MOTION by BUCCI seconded by MALBURG to approve the 2004 Macomb Township Boards Meeting Schedule.**

**MOTION carried.**

20. Request for Model Permits; English Gardens Subdivision No. 2; Lot Nos. 50, 53, 54 & 55. Northern Macomb Development, Petitioner. Section 5.

**MOTION by OLIVER seconded by KOEHS to approve the Model Permit request for English Gardens Subdivision No. 2 Lot Nos. 50, 53, 54, & 55. Section 5.**

**MOTION carried.**

*Addition:*

20A. *Request to Adopt Resolution to issue the Proclamation, declaring November 19 – December 24, 2003, Red Kettle Days in Macomb Township.*

**MOTION by DUNN seconded by BUCCI to adopt the Resolution to issue the Proclamation, declaring November 19- December 24, 2003, Kettle Days in the Township of Macomb as follows.**

**FOR THIS MOTION: DUNN, BUCCI, MALBURG, OLIVER, KOEHS, BRENNAN**

**OPPOSED: NONE.**

**ABSENT: MEERSCHAERT, JR.**

**Red Kettle Days Proclamation  
Macomb Township**

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**Whereas, Donations collected from the Salvation Army of Metro Detroit's Red Kettle Campaign serves more than 480,000 people in need in Oakland, Wayne and Macomb Counties each year; and**

**Whereas, Red Kettle Campaign donations provide meals for more than 1,843,250 families, children, and senior citizens; and**

**Whereas, Red Kettle Campaign donations support the distribution of tens of thousands of gifts to children during the holiday season and throughout the year; and**

**Whereas, Volunteers for the Salvation Army visit more than 5,000 residents of area nursing homes, distributing gifts and bringing the spirit of the season to their bedside;**

**Whereas, The Salvation Army provides 444,935 shelter nights for homeless individuals and families each year; and**

**Whereas, The Salvation Army Holiday efforts strive to strengthen family ties during this important time of the year and identify needs that can be met year-round through on-going programs;**

**Therefore, I, Michael D. Koehs, The Clerk for the Township of Macomb, issue this proclamation, declaring November 19 – December 24, 2003, Red Kettle Days in the Township of Macomb in recognition of the efforts of the Salvation Army of Metro Detroit to address the crisis of poverty and homelessness in Oakland, Wayne and Macomb Counties.**

**MOTION carried.**

*Addition:*

*20B. Review of the SBC Application for Use of Rights-of-way*

Larry Dloski, Township Attorney, reviewed the SBC application and recommended denial. Mr. Dloski stated that an application under the Metro Act must be acted upon by the Township Board of Trustees within forty five days.

**MOTION by KOEHS seconded by DUNN to deny the SBC Application for Use of Rights-of-way request.**

**MOTION carried.**

**OLD BUSINESS:**

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21. Request to Release the Landscape Bond; Edinburgh Estates, Cavaliere Companies, Petitioner. Section 22.

**MOTION by DUNN seconded by KOEHS to approve the request to release the Landscape Bond for Edinburgh Estates Section 22 for the amount of One Thousand dollars and 00/100 (\$1,000.00).**

**MOTION carried.**

22. Request for an Extension of Time; Tentative Preliminary Plat; Harmony Acres Subdivision; Located on the south side of 24 Mile Road  $\frac{3}{4}$  mile east of Romeo Plank Road; Urban Land Consultant, L.L.C., Petitioner. Permanent Parcel No. 08-16-200-014.

Jerome R. Schmeiser, Community Planning Consultant, stated that he has no objections to this request.

Public Portion: None.

Petitioner Present: None.

**MOTION by OLIVER seconded by KOEHS to approve the extension of time for one year to expire on November 25, 2004 for the Tentative Preliminary Plat; Harmony Acres Subdivision. Parcel No. 08-16-200-014.**

**MOTION carried.**

**BUILDING DEPARTMENT:**

23. Request to Purchase Office Scanner.

Dennis LeMieux, Assistant Township Building Official, reviewed the request.

**MOTION by BUCCI seconded by DUNN to approve the request to purchase a print controller, print interface and Network Scanning with "Sharpdeck" for the amount of One Thousand Nine Hundred Ninety dollars and 00/100 (\$1,990.00).**

**MOTION carried.**

Clerk KOEHS noted that these additional devices will be installed in the current copiers that are located in the Township Building Department and it will enable the copier to then act as a scanner, and instead of producing a printed copy, it produces an electronic file document.

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**FIRE DEPARTMENT:**

24. Request to Purchase Automatic External Defibrillator

Raymond Ahonen, Township Fire Department Chief, reviewed the request.

**MOTION by DUNN seconded by KOEHS to approve the purchase request for the automatic external defibrillator for heavy equipment rescue to vendor Medronic Physio Control for the amount of Two Thousand One Hundred Ninety Five dollars and 00/100 (\$2,195.00)**

**MOTION carried.**

25. Request to Purchase Extrication Power Units

Raymond Ahonen, Township Fire Department Chief, reviewed the request.

**MOTION by DUNN seconded by MALBURG to approve the purchase request for two power units for replacement on Rescue One and Rescue Two; Rescue Equipment Sales and Service of Traverse City for the amount of Twelve Thousand Four Hundred Eighty dollars and 80/100 (\$12,480.80).**

**MOTION carried.**

26. Request to Purchase Treadmill

Raymond Ahonen, Township Fire Department Chief, reviewed the request.

**MOTION by OLIVER seconded by MALBURG to approve the purchase request for Station Number One; Fitness Experience for the amount of Two Thousand Two Hundred Fifty dollars and 00/100 (\$2,250.00).**

**MOTION carried.**

Raymond Ahonen, Township Fire Department Chief, reviewed several communications pertaining to issues and events in which the Township Fire Department has been involved.

**HUMAN RESOURCE DEPARTMENT:**

27. Request for Staffing for the Human Resource Department

John Brogowicz, Human Resource Director, reviewed the request.

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**MOTION by KOEHS seconded by DUNN to approve the creation for the Human Resources Specialist – Employment Administration Position and the Human Resources Specialist – Benefit Administration Position.**

**MOTION carried.**

28. Candidate for the Human Resource Department

John Brogowicz, Human Resource Director, reviewed the Human Resource Specialist Position – Employment Administration and suggested that the Board consider Sharalyn K. Arft.

**MOTION by DUNN seconded by BUCCI to follow Mr. John Brogowicz recommendation and offer Sharalyn K. Arft the Human Resource Specialist Position- Employment Administration.**

**MOTION carried.**

**MOTION by OLIVER seconded by BUCCI to approve the employment date of December 8, 2003 to begin for Sharalyn K. Arft.**

**MOTION carried.**

29. Request to join the American Society of Employers

John Brogowicz, Human Resource Director, reviewed the request.

**MOTION by DUNN seconded by OLIVER to approve the request for John Brogowicz to join the American Society of Employers for the amount of One Thousand Two Hundred One dollars and 00/100 (\$1,201.00).**

**MOTION carried**

#### **INFORMATION TECHNOLOGY DEPARTMENT:**

30. Request approval to purchase office equipment and supplies.

Jim Koss, Informational Technology Technician Director, reviewed the request.

**MOTION by DUNN seconded by BUCCI to approve the purchase request with Electrosonics for a VXA Packetloader 1 x 10 2u, VXA Cartridges, quantity of twenty (20), and VXA Cleaning Cartridges, quantity of two (2) for the amount of Four Thousand Ninety One dollars and 49/100 (\$4,091.49).**

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**MOTION carried.**

*Addition:*

30A. Request to purchase two (2) laser duplex printers.

Jim Koss, Informational Technology Technician Director, reviewed the request for the Treasurers Department.

**MOTION by KOEHS seconded by DUNN to authorize the purchase of two (2) duplex laser printers not to exceed Six Thousand Dollars and 00/100 (\$6,000.00) to service the Township Treasurers Department.**

**MOTION carried.**

**PARKS & RECREATION DEPARTMENT:**

31. Request for a Bid Award on Athletic Flooring for the Community Recreation Building.

Salvatore DiCaro, Parks & Recreation Director, reviewed the request.

**MOTION by OLIVER seconded by MALBURG to approve the Bid for Specialty Floors for the Community Center Project Athletic Flooring for the gymnasium, the running track, the aerobics' room and the work out area in the amount of One Hundred Seventy Two Thousand Eight Hundred Thirty Six dollars and 00/100 (\$172,836.00).**

**MOTION carried.**

**WATER & SEWER DEPARTMENT:**

32. Easement Encroachment Agreement, Constantine A. Leon, 56076 St. Andrews Drive, Macomb, MI 48042, Lot 47, County Club Village of the North.

David Koss, Water & Sewer Department Superintendent, reviewed the request.

**MOTION by BUCCI seconded by MALBURG to approve the Easement Encroachment Agreement, Constantine A. Leon, 56076 St. Andrews Drive, Macomb, MI 48042, Lot 47, County Club Village of the North. Permanent Parcel No. 08-05-177-029.**

**MOTION carried.**

33. Pay Certificate No. 4 (final), Card Road Sanitary Sewer, MA 99-03, Dan's Excavating.

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David Koss, Water & Sewer Department Superintendent, reviewed the request.

**MOTION by DUNN seconded by KOEHS to approve the Pay Certificate No. 4 Final, Card Road Sanitary Sewer, MA 99-03, to Dan's excavating the contractor in the amount of Fifty Three Thousand Three Hundred Eleven dollars and 55/100 (\$53,311.55).**

**MOTION carried.**

34. Community Public Water Supply Annual Fee for DEQ

David Koss, Water & Sewer Department Superintendent, reviewed the request.

**MOTION by DUNN seconded by BUCCI to pay the invoice for the Community Public Water Supply Annual Fee for DEQ in the amount of Eleven Thousand Eight Hundred Twenty Four dollars and 63/100 (\$11, 824.63).**

**MOTION carried.**

35. Possession and Use Agreement for 21 Mile Road and Fairchild Metering Facility.

Larry Dloski, Township Attorney, stated the Township had been negotiating with the property owner at the corner of Fairchild Road and 21 Mile Road for an easement to construct a meter and pressure reducing facility. Mr. Dloski stated the owner has been reluctant to grant the easement to the Township because the owner is also negotiating with the County Road Commission, who is going to require a portion of the property for the reconstruction of 21 Mile Road. Mr. Dloski also stated the owner does not want to put himself in a position where he may be negotiating against himself as far as the County Road Commission is concerned.

Mr. Dloski indicated that the access agreement does two things; it allows the Township to enter the easement area to accomplish the construction; and it requires the Township to negotiate with the landowner to acquire the easement. If the Township and Landowner cannot agree on a price, then the Township is obligated to file a condemnation action to acquire the property and allow the property owner to contest the Townships offer.

**MOTION by KOEHS seconded by OLIVER to approve the possession and use agreement for 21 Mile Road and Fairchild Metering Facility.**

**MOTION carried.**

36. Hydrant Maintenance Agreement for Camelot Village L.L.C.

David Koss, Water & Sewer Department Superintendent, reviewed the request.



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Supervisor BRENNAN held further discussion with the Board.

**MOTION by OLIVER seconded by KOEHS to approve to enter into the Hold Harmless Agreement with the Camelot Village manufactured home community and maintain approximately Twenty Seven (27) of their Fire Hydrants yearly subject to legal counsel approval of the language and compensation.**

**MOTION carried.**

37. Approval of the Purchase Requisitions:

- A. SLC Meter Service Inc.
- B. Triangle Printing
- Addition C. Tire Replacement Truck #118*

David Koss, Water & Sewer Department Superintendent, reviewed the request.

**MOTION by BUCCI seconded by OLIVER to approve the purchase requisition request for SLC Service Meter for stock items in the amount of Twenty One Thousand Twenty Three dollars and 99/100 (\$21,023.99).**

**MOTION carried.**

**MOTION by KOEHS seconded by MALBURG to approve the purchase requisition request for Triangle Printing for the printing of water bills, purchase of letterhead and door rangers in the amount of One Thousand Two Hundred Forty Eight dollars and 00/100 (\$1,248.00).**

**MOTION carried.**

**MOTION by KOEHS seconded by OLIVER to approve the purchase requisition for Tim Leslie Tire for Tire Replacement for Truck # 118 in the amount of One Thousand Four Hundred Seventy dollars and 00/100 (\$1,470.00).**

**MOTION carried.**

**BOARD COMMENTS:**

38. Supervisor Comments:

38A. Review of the Economic Development Corporation

*Informational Only*

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY, NOVEMBER 12, 2003 HELD  
AT 7:00 P.M.

*Addition:*

*38B. Review of Township Employment Agreements*

Supervisor BRENNAN reviewed the First Amendment to the Employment Agreement between the Township of Macomb and Raymond Ahonen, Township Fire Department Chief.

**MOTION by BUCCI seconded by DUNN to approve the first amendment to the Employment Agreement between the Township of Macomb and Raymond Ahonen, Township Fire Department Chief.**

**FOR THIS MOTION: BUCCI, DUNN, OLIVER, MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: MEERSCHAERT, JR.**

**MOTION carried.**

**MOTION by BUCCI seconded by DUNN to authorize the Township Supervisor and Township Clerk to sign the first amendment to the Employment Agreement between the Township of Macomb and Raymond Ahonen, Township Fire Department Chief.**

**MOTION carried.**

Supervisor BRENNAN reviewed the employment agreement between the Township and John Brogowicz, Human Resource Director.

**MOTION by DUNN seconded by OLIVER to approve the Employment Agreement between the Township of Macomb and John Brogowicz, Human Resource Director and authorize the Township Supervisor and Township Clerk to sign the agreement.**

**FOR THIS MOTION: DUNN, OLIVER, MALBURG, BUCCI, KOEHS, BRENNAN.**

**OPPOSED:**

**ABSENT: MEERSCHAERT, JR.**

**MOTION carried.**

39. Clerk Comments:

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY, NOVEMBER 12, 2003 HELD  
AT 7:00 P.M.

Clerk KOEHS conveyed his appreciation to the Township Deputy Clerk, Election Supervisor and election workers involved with the Police Mileage Renewal Election.

40. Treasurer Comments: None.

41. Trustees Comments: None.

**EXECUTIVE SESSION:**

**MOTION by KOEHS seconded by BUCCI to adjourn into Executive Session at 8:47 p.m.**

**MOTION carried.**

*The Board reconvened at 8:50 p.m.*

42. Immanuel Lutheran Church and School v. Macomb Township  
Sewer Back up Settlement Offer.

**MOTION by KOEHS seconded by DUNN to accept the settlement offer as presented and authorize the Township Supervisor and Legal Counsel to sign the release agreement offer for the Immanuel Lutheran Church and School v. Macomb Township Sewer Back up.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by OLIVER to adjourn the meeting at 8:51 p.m.**

**MOTION carried.**

Respectfully,

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John D. Brennan, Supervisor

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Michael D. Koehs, Clerk  
Gabrielle M. Baker, Recording Secretary  
MDK/gmb